

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AKOBI SCHUSTER,

Plaintiff,

-v-

CHARTER COMMUNICATIONS, INC.

Defendant.

No. 18-cv-1826 (RJS)
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

On April 8, 2021, this Court imposed a filing injunction (the “Filing Injunction”) barring Plaintiff Akobi Schuster “from filing in any tribunal any action, motion, petition, complaint, or request for relief that relates to or arises from (i) the cable box incident alleged in Schuster’s complaint, as well as Charter’s alleged response to that incident or Schuster’s OSHA claims; or (ii) any of Charter’s conduct in defending against his previous actions – against any person or entity that encountered Schuster throughout this federal litigation – without first obtaining leave from this Court.” (Doc. No. 50 at 24). The Court is now in receipt of Schuster’s January 24, 2023 requests for permission, under the Filing Injunction, to request certain documents from Charter Communications, Inc. (“Charter”) (*see* Doc. No. 78 at 5 ¶ 30) and from the Occupational Safety and Health Administration (“OSHA”) (*see* Doc. No. 80 at 3 ¶ 12).

Because Schuster’s proposed requests for documents would not constitute “filing . . . an[] action, motion, petition, complaint, or request for relief” in a “tribunal,” they fall outside the scope of the Filing Injunction. (Doc. No. 50 at 24). Accordingly, IT IS HEREBY ORDERED THAT Schuster’s requests for the Court’s permission to make such requests of Charter and OSHA (Doc. Nos. 78, 80) are DISMISSED AS MOOT. In so ordering, the Court clarifies that it makes no

endorsement of Schuster's proposed requests for documents; if Charter and/or OSHA deny Schuster's requests for the documents he seeks, the Court will not intervene. The Court further clarifies that, if Schuster wished to "fil[e] in any tribunal an[] action, motion, petition, complaint, or request for relief" on the basis of documents obtained from Charter or OSHA, he would need to "obtain[] leave from this Court" before doing so. (Doc. No. 50 at 24.)

The Clerk of Court is respectfully directed to send a copy of this Order to Schuster via email at the updated email address listed on the electronic case docket and via mail at the address listed on his most recent Notice of Change of Address (2266 Fifth Ave., P.O. Box 790, New York, NY 10037). (See Doc. No. 79.)

SO ORDERED.

Dated: January 29, 2023
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation